

**Subject:** Fwd: Requesting mtg re S. 2509  
**Date:** Wed, 30 Nov 2016 18:36:12 -0500  
**From:** Ralph Conner - PIB <ralph.conner@gsa.gov>  
**To:** (b) (6) Alice S <alice.yates@gsa.gov>, tamara.mayberry@gsa.gov, Flavio Peres <flavio.peres@gsa.gov>, andrew.blaylock@gsa.gov  
**Message-ID:** <2376821635965438404@unknownmsgid>  
**MD5:** 0db7b11648a9e27defa451a2f49eb25a

Ryan Little reached out to me on the definition of "underutilized property" issue.

Let me know how I might help. My office was not involved in the development of any of this language. So, I'm not sure what we are hoping to gain from these discussions with Ryan, Alexa and Mark??

Thanks

Ralph Conner  
Director,  
Office of Real Property Utilization  
Public Buildings Service

Begin forwarded message:

**From:** "Little, Ryan" <[Ryan.Little@mail.house.gov](mailto:Ryan.Little@mail.house.gov)>  
**Date:** November 30, 2016 at 6:19:04 PM EST  
**To:** "[ralph.conner@gsa.gov](mailto:ralph.conner@gsa.gov)" <[ralph.conner@gsa.gov](mailto:ralph.conner@gsa.gov)>  
**Subject:** FW: Requesting mtg re S. 2509

Hello my friend – any chance you can assist with the below?

**From:** Little, Ryan  
**Sent:** Wednesday, November 30, 2016 6:19 PM  
**To:** 'Lam, Kristine V. EOP/OMB'; Armstrong, Alexa; 'Alice Yates - S'  
**Cc:** 'Tammy Mayberry - S'; Stephenson, Mark  
**Subject:** RE: Requesting mtg re S. 2509

Kristine, Alice and Tammy --

We appreciate all your assistance thus far. I was hoping you could help us better clarify the definition of "underutilized property" on page 2 of the S. 2509 draft.

Here's the current definition:

"(8) UNDERUTILIZED PROPERTY. - The term 'underutilized property' means a portion or the entirety of any real property, including any improvements, that is used -

"(A) irregularly or intermittently by the accountable Federal agency for program purposes of the Federal agency; or

"(B) for program purposes that can be satisfied only with a portion of the property.

Additionally, underutilized appears in sec. 8 of the bill multiple times:

## SEC. 8. DUTIES OF FEDERAL AGENCIES.

(a) In General.- Section 24(a) of title 40, United States Code, is amended -

(1) in paragraph (4), by striking "and" at the end;

(2) in paragraph (5), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

"(6) develop current and future workforce projections so as to have the capacity to

assess the needs of the Federal workforce regarding the use of real property;

“(7) establish goals and policies that will lead the executive agency to reduce excess property and underutilized property in the inventory of the executive agency;

“(8) submit to the Federal Real Property Council an annual report on all excess property that is real property and underutilized property in the inventory of the executive agency, including-

“(A) whether underutilized property can be better utilized, including through collocation with other executive agencies or consolidation with other facilities; and

“(B) the extent to which the executive agency believes that retention of the underutilized property serves the needs of the executive agency;

I've noticed that this language appears to mirror the 2015 GSA FRPP Guidance to agencies:

[http://www.gsa.gov/portal/mediald/224171/fileName/2015\\_Guidance\\_for\\_Real\\_Property\\_Inventory\\_Reporting\\_April\\_2015.action](http://www.gsa.gov/portal/mediald/224171/fileName/2015_Guidance_for_Real_Property_Inventory_Reporting_April_2015.action)

We are concerned that the definition could have unintended consequences. Does OMB or GSA have any technical feedback or assistance on this definition?

Here's a hypothetical example we are concerned about:

USDA owns a large piece of land that is classified as open space and has a few improvements on it. USDA no longer uses the property and there is no mission need, current or future, for the property. However, the FBI, ATF and DEA use the property 3 times a year (once each) for law enforcement training purposes. The training is critical for agents and it is a very good use of the property.

Under the definition in S. 2509, who is the accountable agency? I assume that it would be USDA and USDA would not be able to justify owning the property. And while the property is utilized intermittently, keeping the property is wise because it is not costly to maintain and provides an ideal training environment for law enforcement.

Please let me know if this is confusing and if it's easier to discuss via phone, we're happy to chat first thing tomorrow.

We really want to finalize S. 2509 so that it can clear the Senate ASAP.

Thanks so much,  
Ryan

-----Original Message-----

From: Lam, Kristine V. EOP/OMB [mailto: (b) (6)]

Sent: Tuesday, November 29, 2016 12:51 PM

To: Armstrong, Alexa; 'Alice Yates - S'

Cc: 'Tammy Mayberry - S'; Little, Ryan; Stephenson, Mark

Subject: RE: Requesting mtg re S. 2509

No there is not. Currently, (b) (5) (b) (5)

(b) (5)

(b) (5)

(b) (5)

-----Original Message-----

From: Armstrong, Alexa [<mailto:Alexa.Armstrong@mail.house.gov>]  
Sent: Tuesday, November 29, 2016 11:01 AM  
To: Lam, Kristine V. EOP/OMB <(b) (6)> 'Alice Yates - S' <[alice.yates@gsa.gov](mailto:alice.yates@gsa.gov)>  
Cc: 'Tammy Mayberry - S' <[tamara.mayberry@gsa.gov](mailto:tamara.mayberry@gsa.gov)>; Little, Ryan <[Ryan.Little@mail.house.gov](mailto:Ryan.Little@mail.house.gov)>;  
Stephenson, Mark <[Mark.Stephenson@mail.house.gov](mailto:Mark.Stephenson@mail.house.gov)>  
Subject: RE: Requesting mtg re S. 2509

Thank you, Kristine. I have another question for you. Is there currently an Executive Director for the FRPC? If so, what is the rate of pay for that position?

Thanks again,

Alexa

-----Original Message-----

From: Lam, Kristine V. EOP/OMB [[\(b\) \(6\)](mailto:(b) (6))]  
Sent: Monday, November 28, 2016 7:11 PM  
To: Armstrong, Alexa <[Alexa.Armstrong@mail.house.gov](mailto:Alexa.Armstrong@mail.house.gov)>; 'Alice Yates - S' <[alice.yates@gsa.gov](mailto:alice.yates@gsa.gov)>  
Cc: 'Tammy Mayberry - S' <[tamara.mayberry@gsa.gov](mailto:tamara.mayberry@gsa.gov)>; Little, Ryan <[Ryan.Little@mail.house.gov](mailto:Ryan.Little@mail.house.gov)>;  
Stephenson, Mark <[Mark.Stephenson@mail.house.gov](mailto:Mark.Stephenson@mail.house.gov)>  
Subject: RE: Requesting mtg re S. 2509

Hi Alexa,

On utilization rate, (b) (5)  
(b) (5)

Kristine

-----Original Message-----

From: Armstrong, Alexa [<mailto:Alexa.Armstrong@mail.house.gov>]  
Sent: Monday, November 28, 2016 5:54 PM  
To: 'Alice Yates - S' <[alice.yates@gsa.gov](mailto:alice.yates@gsa.gov)>  
Cc: 'Tammy Mayberry - S' <[tamara.mayberry@gsa.gov](mailto:tamara.mayberry@gsa.gov)>; Little, Ryan <[Ryan.Little@mail.house.gov](mailto:Ryan.Little@mail.house.gov)>;  
Stephenson, Mark <[Mark.Stephenson@mail.house.gov](mailto:Mark.Stephenson@mail.house.gov)>; Lam, Kristine V. EOP/OMB  
<(b) (6)>  
Subject: RE: Requesting mtg re S. 2509

Hi all,

Thank you again for the call last week. I have a follow-up question regarding the language in S. 2509.

S. 2509 defines “underutilized property” and requires the FRPC to develop utilization rates. Based on your read, would those provisions have any impact on H.R. 4465, in terms of how the provisions in the bill would play out once signed into law? I just want to make sure there are not any unintended consequences given the large amount of overlap in the two bills.

Those two provisions stuck out to me as possibly having a broader impact; however, that may not be the case because the language is pretty contained.

Thank you for your time and attention to this.

Best,

Alexa

From: Armstrong, Alexa  
Sent: Friday, November 18, 2016 3:06 PM  
To: 'Alice Yates - S' <[alice.yates@gsa.gov](mailto:alice.yates@gsa.gov)>  
Cc: Tammy Mayberry - S <[tamara.mayberry@gsa.gov](mailto:tamara.mayberry@gsa.gov)>; Little, Ryan <[Ryan.Little@mail.house.gov](mailto:Ryan.Little@mail.house.gov)>;  
Stephenson, Mark <[Mark.Stephenson@mail.house.gov](mailto:Mark.Stephenson@mail.house.gov)>; Kristine V. EOP/OMB Lam  
<(b) (6)>  
Subject: RE: Requesting mtg re S. 2509

That works great. Thanks, all.

From: Alice Yates - S [<mailto:alice.yates@gsa.gov>]  
Sent: Friday, November 18, 2016 2:38 PM  
To: Armstrong, Alexa <[Alexa.Armstrong@mail.house.gov](mailto:Alexa.Armstrong@mail.house.gov) <<mailto:Alexa.Armstrong@mail.house.gov>> >  
Cc: Tammy Mayberry - S <[tamara.mayberry@gsa.gov](mailto:tamara.mayberry@gsa.gov) <<mailto:tamara.mayberry@gsa.gov>> >; Little,  
Ryan <[Ryan.Little@mail.house.gov](mailto:Ryan.Little@mail.house.gov) <<mailto:Ryan.Little@mail.house.gov>> >; Stephenson, Mark  
<[Mark.Stephenson@mail.house.gov](mailto:Mark.Stephenson@mail.house.gov) <<mailto:Mark.Stephenson@mail.house.gov>> >; Kristine V.  
EOP/OMB Lam <(b) (6)> <[\(b\) \(6\)](mailto:(b) (6))> >  
Subject: Re: Requesting mtg re S. 2509

We can do 4pm.

Okay if we use this call-in conference line:

(b) (6)

On Fri, Nov 18, 2016 at 2:06 PM, Armstrong, Alexa <[Alexa.Armstrong@mail.house.gov](mailto:Alexa.Armstrong@mail.house.gov) <<mailto:Alexa.Armstrong@mail.house.gov>> > wrote:

Ryan is going to be traveling/on a plane during that time. Any chance you all are available late afternoon on Monday- maybe 3:30 or 4:00 pm?

Thanks,

Alexa

From: Alice Yates - S [<mailto:alice.yates@gsa.gov> <<mailto:alice.yates@gsa.gov>>]  
Sent: Friday, November 18, 2016 12:26 PM  
To: Armstrong, Alexa <[Alexa.Armstrong@mail.house.gov](mailto:Alexa.Armstrong@mail.house.gov)  
<<mailto:Alexa.Armstrong@mail.house.gov>> >  
Cc: Tammy Mayberry - S <[tamara.mayberry@gsa.gov](mailto:tamara.mayberry@gsa.gov) <<mailto:tamara.mayberry@gsa.gov>> >;  
Little, Ryan <[Ryan.Little@mail.house.gov](mailto:Ryan.Little@mail.house.gov) <<mailto:Ryan.Little@mail.house.gov>> >; Stephenson, Mark  
<[Mark.Stephenson@mail.house.gov](mailto:Mark.Stephenson@mail.house.gov) <<mailto:Mark.Stephenson@mail.house.gov>> >; Kristine V.  
EOP/OMB Lam <(b) (6)> <[\(b\) \(6\)](mailto:(b) (6)>)> >

Subject: Re: Requesting mtg re S. 2509

Hi Alexa,

Apologies on this. OMB Legislative Affairs (Kristine Lam, who is cc'e on this email) would like to be included in the call, as there are broader issues beyond GSA.

We are available anytime Monday between 10am and noon. Would anything in that time-slot work for you?

thanks,

alice

On Thu, Nov 17, 2016 at 12:13 PM, Armstrong, Alexa <[Alexa.Armstrong@mail.house.gov](mailto:Alexa.Armstrong@mail.house.gov)  
<<mailto:Alexa.Armstrong@mail.house.gov>> > wrote:

Hi Tammy and Alice – I wanted to circle back on this email. This is a time-sensitive request, and anything we can do to get this on the books would be much appreciated.

Thank you,

Alexa

From: Tammy Mayberry - S [<mailto:tamara.mayberry@gsa.gov>  
<<mailto:tamara.mayberry@gsa.gov>>]  
Sent: Monday, November 14, 2016 5:58 PM  
To: Armstrong, Alexa <[Alexa.Armstrong@mail.house.gov](mailto:Alexa.Armstrong@mail.house.gov)  
<<mailto:Alexa.Armstrong@mail.house.gov>> >; Alice Yates - S <[alice.yates@gsa.gov](mailto:alice.yates@gsa.gov)  
<<mailto:alice.yates@gsa.gov>> >  
Cc: Little, Ryan <[Ryan.Little@mail.house.gov](mailto:Ryan.Little@mail.house.gov) <<mailto:Ryan.Little@mail.house.gov>> >;  
Stephenson, Mark <[Mark.Stephenson@mail.house.gov](mailto:Mark.Stephenson@mail.house.gov) <<mailto:Mark.Stephenson@mail.house.gov>> >  
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